

REMARKS

Claims 11-20 are pending in this application. By this Amendment, claims 11, 14, 19 and 20 are amended, and the specification is amended to address an informality. Claims 11 and 14 are amended to further clarify the subject matter being claimed, and additional support for the amendments to claims 11 and 14 may be found at least in Figures 6, 7, 9-12, 16 and 17. Claims 19 and 20 are amended to correspond with the amendments to claims 11 and 14, respectively. Thus, no new matter is added by the above amendments. In view of at least the following, reconsideration and allowance are respectfully requested.

I. Personal Interview

The courtesies extended to Applicants' representative by Examiner Riddle at the interview held August 14, 2008, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

II. Objection to the Specification

The Office Action objects to the specification for an alleged informality. This objection is respectfully traversed.

By this Amendment, page 4, line 13 of the specification is amended, as suggested by the Examiner, to recite "rotational."

Accordingly, withdrawal of the objection is respectfully requested.

III. Allowable Subject Matter

Applicants thank the Examiner for the indication that claims 16-18 are allowed. Applicants further thank the Examiner for the indication that claims 13, 19 and 20 contain allowable subject matter, and that claims 13, 19 and 20 would be allowable if written in independent form to include all the features of the base claim.

IV. Claim Rejection under 35 U.S.C. §102

The Office Action rejects claims 14 and 15 under 35 U.S.C. §102(b) over U.S. Patent No. 5,494,007 (Schroeder). This rejection is respectfully traversed.

By this Amendment, claim 14 recites, in part, "wherein a valve of a cylinder is driven so as to be opened and closed based on a linear motion, a rotational motion of an electric motor being converted into the linear motion for driving the valve of the cylinder by the cam, the electric motor control means including forward rotating control means for changing a rotating speed of the cam before the valve starts lifting in the forward rotating drive mode so as to change a working angle of the valve, and the forward rotating control means changing the rotating speed of the cam in the forward rotating drive mode such that a target opening time is realized, at the time that the lift of the valve is started, or a target closing time is realized, at the time that the valve is fully closed, or a target lift amount at a crank angle is realized."

Applicants respectfully submit that the applied art reference does not disclose at least the above-recited features of independent claim 14. Specifically, Schroeder merely discloses that the valve lift and timing will be set according to a basic profile set by a cam mechanism, and that any desired variance from the basic profile may be expressed as a phase difference between the motor and crankshaft (col. 8, lines 48-51).

Schroeder does not disclose each and every element recited in claim 14, for at least the reasons discussed above. Therefore, the applied art reference fails to anticipate independent claim 14, and the claims dependent therefrom.

Accordingly, withdrawal of the rejection is respectfully requested.

V. Claim Rejection under 35 U.S.C. §103

The Office Action rejects claims 11 and 12 under 35 U.S.C. §103(a) over Schroeder. This rejection is respectfully traversed.

By this Amendment, claim 11 recites, in part, "wherein, a rotational motion of the electric motor is converted into the linear motion, which drives the valve to be opened and closed, by the cam, the electric motor control means including rocking control means for controlling a motion of the electric motor such that the cam starts rotating before the valve starts lifting in the rocking drive mode, and the rocking control means controlling the rotating speed of the cam in the rocking drive mode such that a target opening time is realized, at the time that the lift of the valve is started, or a target closing time is realized, at the time that the valve is fully closed, or a target lift amount at a crank angle is realized."

Applicants respectfully submit that the applied art reference does not disclose or establish any reason to provide at least the above-recited features of independent claim 11. Specifically, as discussed above, Schroeder merely discloses that the valve lift and timing will be set according to a basic profile set by a cam mechanism, and that any desired variance from the basic profile may be expressed as a phase difference between the motor and crankshaft (col. 8, lines 48-51).

Schroeder does not disclose or establish any reason to provide the features of claim 11, for at least the reasons discussed above. Therefore, the applied art reference fails to render obvious to subject matter of independent claim 11, and the claims dependent therefrom.

Accordingly, withdrawal of the rejection is respectfully requested.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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